

**THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

**SILVIE POMICTER and
LAST CHANCE FOR ANIMALS**

Plaintiffs,

v.

**LUZERNE COUNTY CONVENTION
CENTER AUTHORITY and
SMG**

Defendants.

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**3:16-CV-00632
(JUDGE MARIANI)**

AMENDED JUDGMENT AND ORDER

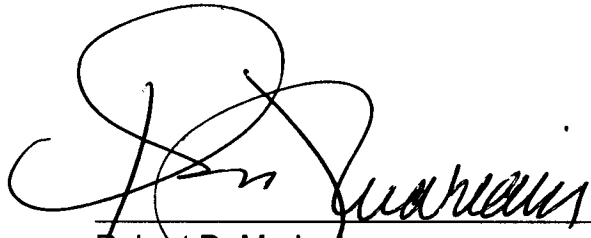
AND NOW, THIS 22nd **OF MAY, 2018,** for the reasons set forth in the accompanying memorandum opinion, **IT IS HEREBY ORDERED** that Plaintiffs' motion to amend the judgment (Doc. 66) is **GRANTED** and the Court's April 10, 2018 Judgment (Doc. 60) is **AMENDED** as follows:

Judgment is entered **IN FAVOR OF** Plaintiffs Silvie Pomicter and Last Chance for Animals and **AGAINST** Defendants Luzerne County Convention Center and SMG, as follows:

1. Defendants, together with their representatives, agents, servants, and all others acting on their behalf or in concert with them, are hereby **ENJOINED** and **RESTRAINED**, from confining protestors who are distributing literature and/or displaying signage to barricaded protest areas and thereby preventing them from distributing literature, displaying signage, and/or speaking with Arena patrons in the

open spaces outside the Mohegan Sun Arena. This Order is without prejudice to the Authority's power to implement ordinary methods of crowd control on patrons and protestors alike, including the power to order a large congregation of people to disperse in order to facilitate pedestrian flow; prohibit people from blocking access points or harassing patrons standing in line; prohibit violence or weapons; or alert the police as to fighting or unwanted trespass.

2. Defendants, together with their representatives, agents, servants, and all others acting on their behalf or in concert with them, are hereby **ENJOINED** and **RESTRAINED**, from imposing a broad ban only on protestors from using voice amplification in the open spaces outside the Mohegan Sun Arena. However, this Order is without prejudice to the Authority's power to craft a tailored rule that may restrict protestors from using voice amplification in specified contexts, in order to prevent potential interference with other permitted activities within the Arena.
3. Defendants, together with their representatives, agents, servants, and all others acting on their behalf or in concert with them, are hereby **ENJOINED** and **RESTRAINED**, from imposing a ban only on protestors from using vulgarity and/or profanity in the open spaces outside the Mohegan Sun Arena. However, this Order is without prejudice to the Authority's power to craft a tailored rule that may apply to—and uniformly enforced against—all patrons, protestors, and permitted guests of the Arena.



Robert D. Mariani
United States District Judge